

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE ENROLLED ACT No. 361

AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 34-31-11.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 11.2. Defenses Related to Liquefied Petroleum Gas

Sec. 1. This chapter applies only to a cause of action that accrues after June 30, 2015.

Sec. 2. If:

(1) a person:

(A) modifies, repairs, or materially alters:

(i) liquefied petroleum gas equipment; or

(ii) a liquefied petroleum gas appliance;

without the knowledge and consent of the provider of the liquefied petroleum gas used in the equipment or appliance; or

(B) uses the:

(i) liquefied petroleum gas equipment; or

(ii) liquefied petroleum gas appliance;

in a manner or for a purpose other than that for which the equipment or appliance was reasonably intended; and

(2) the person or another person suffers bodily injury or property damage because of an action taken by the person as

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described in subdivision (1)(A) or (1)(B);
the person is considered to have assumed the risk of causing the
bodily injury or property damage because of the action taken by
the person under subdivision (1)(A) or (1)(B).

Sec. 3. The provider of the liquefied petroleum gas that was used
in:

(1) liquefied petroleum gas equipment; or

(2) a liquefied petroleum gas appliance;

involved in causing bodily injury or property damage described in
section 2(2) of this chapter has an affirmative defense in any action
brought against the provider if a person assumed the risk of
causing the bodily injury or property damage described in section
2(2) of this chapter because of an action taken by the person under
section 2(1)(A) or 2(1)(B) of this chapter.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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